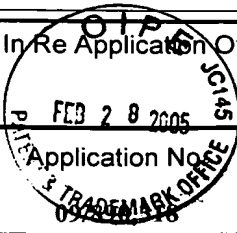


1FW

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
110/02242

In Re Application Of: **Oren GLOBERMAN et al.**

 Application No.	Filing Date July 25, 2001	Examiner PHILOGENE, P.	Customer No. 44909	Group Art Unit 3732	Confirmation No. 9263
--------------------------------------------------------------------------------------------------	------------------------------	----------------------------------	-----------------------	------------------------	--------------------------

Title: **EXPANDABLE ELEMENT DELIVERY SYSTEM**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☒ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
110/02242In Re Application: Oren GLOBERMAN et al.
FEB 28 2005

Application No. 09/890,318	Filing Date July 25, 2001	Examiner PHILOGENE, P.	Customer No. 44909	Group Art Unit 3732	Confirmation No. 9263
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Title: EXPANDABLE ELEMENT DELIVERY SYSTEM

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 03-3419 as described below.
- ☒ Charge the amount of \$180.00
 - ☒ Credit any overpayment.
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**Certificate of Transmission by Facsimile***

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Dated: February 20, 2005

Signature

Maier FENSTER, Reg. No. 41,016

William H. Dippert, Esq.
Reed Smith LLP
599 Lexington Avenue, 29th Floor
New York, NY 10022-7650

Tel: (212) 521-5400

cc:



10/02242

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In regard to the application of: Oren GLOBERMAN et al.

Serial No : 09/890,318

Group Art Unit: 3732

Filed : July 25, 2001

Examiner: PHILOGENE, P.

For : Expandable Element Delivery System

THIRD SUPPLEMENTARY INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully direct the attention of the Examiner to additional art cited with respect to U.S. Application No. 09/890,318 which is a U.S. National phase under 35 U.S.C. §371 of PCT Application No. PCT/IL00/00056.

The Examiner is respectfully requested to review and consider this art.

Further, in order to comply with discretionary regulations 37 C.F.R. §1.97 and §1.98, attached is an Equivalent to Form PTO-1449 listing the cited art. Also attached is a copy¹ of the art. This art contains information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

In accordance with MPEP §609 it is requested that each document cited [including any mentioned in Applicant's specification which is not repeated on the attached {or prior} PTO-1449 form(s) or equivalent(s) thereof] be given thorough consideration and be cited of record in the prosecution history of the present application by initialing on the PTO-1449 form or its equivalent, so that it will appear on the face of the patent issuing on the present application, even if the Examiner does not consider it sufficiently pertinent to use in a rejection, or otherwise does not believe that the guidelines for citation have been fully complied with.

¹ To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in one of the parent files. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached, it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such an equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated there between; if no such English language equivalent is cited then none is known to the undersigned.

European patent EP 0 044 877 (item 13), French patent FR 2 712 486 (item 14), French patent FR 2 722 679 (item 15), and French patent FR 2 674 119 (item 33,) are in a foreign language. Applicants attach copies of English language abstracts to their respective references.

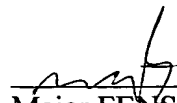
German patent DE 1 810 799 (item 30), German patent DE 87 16 073 (item 31), and German patent DE 196 12 276 (item 32) are in a foreign language. A copy of the English language International Search Report of a related PCT application, No. PCT/IL00/00471, citing these references is provided.

Items 19 and 20, which are cited in the International Search Report of a related PCT application, No. PCT/IL00/00471, are in a foreign language. A copy of the English language International Search Report, as referenced above, is attached.

The present Information Disclosure Statement is being submitted in compliance with 37 C.F.R. §1.56 as an Examiner might consider any cited document important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 C.F.R. §1.104(a), and in the course of such search will review for relevance every document cited on the attached form.

Early and favorable consideration is earnestly solicited.

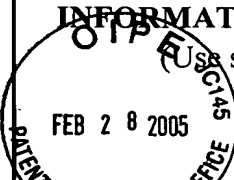
Respectfully submitted,
Oren GLOBERMAN et al.



Maier FENSTER,
Registration No. 41,016

February 20, 2005
William H. Dippert, Esq.
Reed Smith LLP
599 Lexington Avenue, 29th Floor
New York, NY 10022-7650

Tel.: (212) 521-5400

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) 	ATTY DOCKET NO. 110/02242	SERIAL NO. 09/890,318
	APPLICANT(S) Oren GLOBERMAN et al.	
	FILING July 25, 2001	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	1.	6,780, 175	24 Aug 04	SACHDEVA, R.C. L. et al			
	2.	5,059,193	22 Oct 91	KULISCH, S.D.			
	3.	5,123,926	13 Jun 92	PISHARODI, M.			
	4.	5,171,248	15 Dec 92	ELLIS, J.G.			
	5.	5,171,278	15 Dec 92	PISHARODI, M.			
	6.	5,356,382	18 Oct 94	PICHA G.J. et al			
	7.	5,683,451	04 Nov 97	LENKER, J.A. et al			
	8.	5,693,100	02 Dec 97	PISHARODI, M.			
	9.	5,697,977	16 Dec 97	PISHARODI, M.			
	10.	5,759,186	02 Jun 98	BACHMANN, M. et al			
	11.	5,782,838	21 Jul 98	BEYAR, M. et al			
	12.	5,800, 549	01 Sep 98	BAO, Q. et al			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	13.	EP 0 044 877	03 Feb 82	EUROPE			X	
	14.	FR 2 712 486	24 May 95	FRANCE			X	
	15.	FR 2 722 679	26 Jan 96	FRANCE			X	
	16.	WO 92/14423	03 Sep 92	PCT				
	17.	WO 98/38918	11 Sep 98	PCT				
	18.	WO 99/39661	12 Aug 99	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	19.	NARUSHIMA, M.; JP 08-322848; December 10, 1996 & Database WPI; Section PQ; Week 199708; Derwent Publications Ltd., London, GB; Class P31, AN 1997-081321; XP002154628
	20.	WEISSMAN, S.L. et al.; "Trochanteric Fractures of the Femur – Treatment with a Strong Nail and Early Weight-bearing;" November-December 1969; Pages 143-150; Clinical Orthopedics and Related Research; No. 67; XP000964714

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. 110/02242	SERIAL NO. 09/890,318
	APPLICANT(S) Oren GLOBERMAN et al.	
	FILING July 25, 2001	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	21.	6,217,608	17 Apr 01	PENN, I.M. et al			
	22.	6,019,789	01 Feb 00	DINH, L.A. et al			
	23.	5,876,457	02 Mar 99	PICHA, G.J. et al			
	24.	6,149,651	21 Nov 00	DREWRY, T. et al			
	25.	5,725,341	10 Mar 98	HOFMEISTER, O.			
	26.	5,518,498	21 May 96	LINDENBERG, J. et al			
	27.	5,454,365	03 Oct 95	BONUTTI, P.M.			
	28.	4,973,301	27 Nov 90	NISSENKORN, I.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	29.	WO 99/52446	21 Oct 99	PCT				
	30.	DE 1 810 799	04 Jun 70	GERMANY				
	31.	DE 87 16 073	24 Mar 88	GERMANY				
	32.	DE 196 12 276	02 Oct 97	GERMANY				
	33.	FR 2 674 119	25 Sep 92	FRANCE			X	

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

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U.S. PATENT DOCUMENTS

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	ATTY DOCKET NO. 110/02242	SERIAL NO. 09/890,318
	APPLICANT(S) Oren GLOBERMAN et al.	
	FILING July 25, 2001	GROUP 3732

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	34.	4,475,856	09 Oct 84	TOOMINGAS, I.			
	35.	3,108,593	29 Oct 63	GLASSMAN, J.A.			
	36.	6,245,101	12 Jun 01	DRASIER, W.J. et al			
	37.	3,867,728	25 Feb 75	STUBSTAD, J.A. et al			
	38.	3,846,846	12 Nov 74	FISCHER, A.			
	39.	5,609,637	11 Mar 97	BIEDERMANN, L. et al			
	40.	6,126,689	03 Oct 00	BRETT, D.C.			
	41.	6,554,833	29 Apr 03	LEVY, M.M. et al			
	42.	6,261,289	17 Jul 01	LEVY, M.			
	43.	4,274,163	23 Jun 81	MALCOLM, L.L. et al			
	44.	4,346,708	31 Aug 82	LEVEEN, H.H. et al			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	45.	WO 96/32899	24 Oct 96	PCT				

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

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	APPLICANT(S) Oren GLOBERMAN et al.	
	FILING July 25, 2001	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	46.	4,632,101	30 Dec 86	FREEDLAND, Y.			
	47.	4,772,287	20 Sep 88	RAY, C.D. et al			
	48.	4,904,260	27 Feb 90	RAY, C.D. et al			
	49.	5,108,404	28 Apr 92	SCHOLTEN, A. et al			
	50.	5,376,123	27 Dec 94	KLAUE, K. et al			
	51.	5,578,035	26 Nov 96	LIN, C.			
	52.	5,601,557	11 Feb 97	HAYHURST, J.O.			
	53.	5,658,310	19 Aug 97	BERGER, J.L.			
	54.	5,827,289	27 Oct 98	REILEY, M.A. et al			
	55.	6,248,110	19 Jun 01	REILEY, M.A. et al			
	56.	6,500,182	31 Dec 02	FOSTER, T.L.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO

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	FILING July 25, 2001	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	57.	817,973	17 Apr 06	HAUSMANN, C.F.			
	58.	4,204,531	27 May 80	AGINSKY, Y.			
	59.	4,854,312	8 Aug 89	RAFTOPOULOS, D. et al			
	60.	4,995,868	26 Feb 91	BRAZIER, G.			
	61.	5,074,871	24 Dec 91	GROSHONG, L.			
	62.	5,390,683	21 Feb 95	PISHARODI, M.			
	63.	5,423,850	13 Jun 95	BERGER, J.			
	64.	5,480,400	2 Jan 96	BERGER, J.			
	65.	5,554,101	10 Sep 96	MATULA, P. et al			
	66.	5,637,097	10 Jun 97	YOON, I.			
	67.	5,685,826	11 Nov 97	BONUTTI, P.			
	68.	5,690,606	25 Nov 97	SLOTMAN, G.			

FOREIGN PATENT DOCUMENTS

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							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

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	APPLICANT(S) Oren GLOBERMAN et al.	
	FILING July 25, 2001	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	69.	5,707,390	13 Jan 98	BONUTTI, P.			
	70.	5,755,732	26 May 98	GREEN, D. et al			
	71.	5,782,713	21 Jul 98	YANG, S.			
	72.	5,782,747	21 Jul 98	ZIMMON, D.			
	73.	5,785,647	28 Jul 98	TOMPKINS, C. et al			
	74.	5,865,802	2 Feb 99	YOON, I. et al			
	75.	5,882,340	16 Mar 99	YOON, I. et al			
	76.	5,972,015	26 Oct 99	SCRIBNER, R. et al			
	77.	6,039,761	21 Mar 00	LI, L. et al			
	78.	6,127,597	3 Oct 00	BEYAR, M. et al			
	79.	6,146,401	14 Nov 00	YOON, I. et al			
	80.	6,149,664	21 Nov 00	KURZ, D.			

FOREIGN PATENT DOCUMENTS

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	FILING July 25, 2001	GROUP 3732

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	81.	6,187,015	13 Feb 01	BRENNEMAN, R.			
	82.	6,190,381	20 Feb 01	OLSEN, P. et al			
	83.	6,214,016	10 Apr 01	WILLIAMS, T. et al			
	84.	6,228,068	8 May 01	YOON, I.			
	85.	6,228,082	8 May 01	BAKER, M. et al			
	86.	6,325,812	4 Dec 01	DUBRUL, W. et al			
	87.	5,752,969	19 May 98	CUNCI, O. et al			
	88.	6,447,478	10 Sep 02	MAYNARD, R.S.			

U.S. PATENT APPLICATION PUBLICATIONS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	Filing date if appropriate
	89.	2002/0068975	06 Jun 02	TEITELBAUM, G.P. et al			
	90.	2002/0072768	13 Jun 02	GINN, R.			

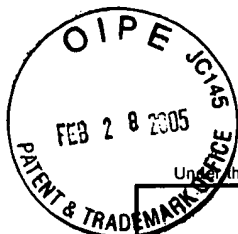
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO

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Applicant: Oren Globerman, et al.
Serial No: 09/890,318
Filing Date: July 25, 2001
For: Expandable Element Delivery System
Enclosures: (1) Transmittal of Information Disclosure Statement (3 pages); (2) Information Disclosure Statement (2 pages); (3) IDS Citation (7 pages) and ninety cited references; (4) Search Report (5) Acknowledgement Postcard.

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